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RICHARD A. MARSHACK
7

8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION
10

11 In re
12 THE LITIGATION PRACTICE GROUP P.C.,
13
14 Debtor.
15
16

Case No: 8:23-bk-10571-SC

Chapter 11

NOTICE OF APPLICATION BY
CHAPTER 7 TRUSTEE TO EMPLOY
BICHER & ASSOCIATES AS THE
ESTATE'S FIELD AGENT AND
FORENSIC ANALYST

17 TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY JUDGE,
18 THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:

19 PLEASE TAKE NOTICE that Richard A. Marshack, in his capacity as Chapter 11 Trustee
20 (“Trustee”) of the Bankruptcy Estate (“Estate”) of The Litigation Practice Group P.C. (“Debtor”),
21 has filed an application (“Application”) for entry of an order authorizing the employment of Bicher
22 & Associates (“Bicher” or the “Firm”) as the Trustee’s and the Estate’s field agent and forensic
23 analyst in this case pursuant to 11 U.S.C. §§ 327 & 330 effective May 8, 2023.

24 The Trustee requires the assistance of the Firm to assist with:

- 25 • Determining sources of recovery for estate including analyzing accounts receivable
26 balances, avoidable transfers, insider transactions, preference actions and other potential claims by
27 analyzing Debtor’s books and records and source information;
28 • Performing solvency analysis to determine when the Debtor became insolvent;

- 1 • Providing litigation support as requested;
- 2 • Supporting the Trustee and Trustee's professionals' efforts to maximize recovery for
- 3 creditors through financial and other analysis; and
- 4 • Any other services mutually agreed upon by the Trustee and Bicher.

5 The Firm will render services to Trustee at the Firm's regular hourly rates, which may be
6 adjusted from time to time. Ms. Ensley's current hourly billing rate is \$110 for field agent services
7 and her rate for professional and/or forensic rates is \$230. Mr. Bicher's typical forensic accounting
8 rate is \$320 per hour, he has also agreed to lower his hourly rate to \$270 per hour to represent the
9 Estate in this case.

10 The Firm will be compensated from assets of the Estate, if any, and will not be compensated
11 absent the Estate's receipt or recovery of such assets. The Firm has received no retainer for the
12 services to be performed in this case and has agreed that no retainer will be paid.

13 The Firm will bill local travel expenses at the IRS mileage rate, currently 65.5 cents per mile,
14 or 1 hour round trip at the prevailing agent rate, whichever is greater, plus any parking or other
15 related expenses. Travel on weekends or holidays will be billed at the prevailing agent rate. The
16 Firm will pay any toll road costs incurred and will not seek reimbursement for such expenses.

17 Subject to 11 U.S.C. § 327(a), the Trustee requests that the Court approve a procedure where,
18 as the Estate receives available unencumbered cash, Trustee is authorized to pay up to 80% of the
19 invoiced field agent services and 100% of invoiced expenses, to the Firm on a monthly basis, with
20 final approval of such compensation and reimbursement of costs to be determined upon noticed
21 applications and approval by the Court pursuant to 11 U.S.C. § 330 and 331.

22 The Firm understands that its compensation in this case is subject to approval by the
23 Bankruptcy Court. In compliance with 11 U.S.C. §§ 330 and 331, the Firm intends to file interim
24 and final applications for allowance of fees and reimbursement of costs as and when appropriate.

25 The Firm has advised Trustee that the Firm has not shared or agreed to share any
26 compensation to be received by it in this case with any other person, except as among partners of the
27 Firm.

1 The complete scope and terms of the employment are detailed in the Application a copy of
2 which can be obtained by contacting Laila Masud at the address indicated above.

3 **PLEASE TAKE FURTHER NOTICE** that any response and request for hearing as to the
4 proposed employment must be in the form as required by Local Bankruptcy Rules 2014-1(b), 9013-
5 1(f) and (o) and filed with the Clerk of the above-entitled Court. The deadline for any response and
6 request for hearing is 14 days after the date of service of this Notice, plus an additional 3 days unless
7 this Notice was served by personal delivery or posting as described in F.R.Civ.P. 5(b)(2)(A)-(B). A
8 copy of any response or request for hearing must be served on D. Edward Hays and Laila Masud at
9 the address indicated above. A copy must also be served on the Office of the United States Trustee,
10 411 W. Fourth Street, Suite 7160, Santa Ana, California 92701. Failure to timely respond may be
11 deemed as acceptance of the proposed relief. See Local Bankruptcy Rules 9013-1(h).

12
13 DATED: June 6, 2023

MARSHACK HAYS LLP

14
15 By: /s/ Laila Masud

D. EDWARD HAYS

LAILA MASUD

Attorneys for Chapter 7 Trustee

RICHARD A. MARSHACK

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled (specify): **NOTICE OF TRUSTEE'S APPLICATION TO EMPLOY BICHER & ASSOCIATES** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **June 6, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On **June 7, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on __, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service on Judge not required pursuant to LBR 5005-2(d)

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 7, 2023 Pamela Kraus
Date Printed Name

/s/ Pamela Kraus
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** continued:

- **ATTORNEY FOR CREDITOR SDCO TUSTIN EXECUTIVE CENTER, INC.:** Ronald K Brown
ron@rkbrownlaw.com
- **INTERESTED PARTY COURTESY NEF:** Shawn M Christianson cmcintire@buchalter.com,
schristianson@buchalter.com
- **INTERESTED PARTY COURTESY NEF: Richard H Golubow** rgolubow@wghlawyers.com,
jmartinez@wghlawyers.com;svillegas@wghlawyers.com
- **ATTORNEY FOR TRUSTEE:** D Edward Hays ehays@marshackhays.com, ehays@ecf.courtdrive.com;
kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR CITY CAPITAL NY:** Alan Craig Hochheiser ahochheiser@mauricewutscher.com,
arodriguez@mauricewutscher.com
- **ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and
CREDITOR MC DVI FUND 2, LLC:** Garrick A Hollander ghollander@wghlawyers.com,
jmartinez@wghlawyers.com;svillegas@wghlawyers.com
- **ATTORNEY FOR DEBTOR THE LITIGATION PRACTICE GROUP P.C.:** Joon M Khang joon@khanglaw.com
- **INTERESTED PARTY COURTESY NEF: David S Kupetz** David.Kupetz@lockelord.com,
mylene.ruiz@lockelord.com
- **INTERESTED PARTY COURTESY NEF: Michael D Lieberman** mlieberman@lipsonneilson.com
- **CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Richard A Marshack (TR)
pkraus@marshackhays.com, rmarshack@iq7technology.com; ecf.alert+Marshack@titledi.com
- **ATTORNEY FOR TRUSTEE:** Laila Masud lmasud@marshackhays.com, lmasud@ecf.courtdrive.com;
kfrederick@ecf.courtdrive.com
- **INTERESTED PARTY COURTESY NEF:** Byron Z Moldo bmoldo@ecjlaw.com, amatsuoka@ecjlaw.com,
dperez@ecjlaw.com
- **INTERESTED PARTY COURTESY NEF:** Alan I Nahmias anahmias@mbn.law, jdale@mbnlawyers.com
- **ATTORNEY FOR US TRUSTEE:** Queenie K Ng queenie.k.ng@usdoj.gov
- **INTERESTED PARTY COURTESY NEF:** Ronald N Richards ron@ronaldrichards.com,
7206828420@filings.docketbird.com
- **INTERESTED PARTY COURTESY NEF:** Paul R Shankman PShankman@fortislaw.com, info@fortislaw.com
- **US TRUSTEE:** United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov

2. **SERVED BY UNITED STATES MAIL:** continued:

**MAIL REDIRECTED TO TRUSTEE
DEBTOR**

THE LITIGATION PRACTICE
GROUP P.C.
47542-17TH ST
SUITE 100
TUSTIN, CA 92780-1984

20 LARGEST CREDITOR

DOCUMENT FULFILLMENT SERVICES
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
2930 RAMONA AVE #100
SACRAMENTO, CA 95826-3838

20 LARGEST CREDITOR

TUSTIN EXECUTIVE CENTER
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1630 S SUNKIST STEET
STE A
ANAHEIM, CA 92806-5816

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TASKUS HOLDINGS, INC.
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OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
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1650 INDEPENDENCE DR
NEW BRAUNFELS, TX 78132-3959

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SHARP BUSINESS SYSTEMS
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GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
8670 ARGENT ST
SANTEE, CA 92071-4172

**20 LARGEST CREDITOR / POC
ADDRESS**

OUTSOURCE ACCELERATOR LTD
C/O PAUL R. SHANKMAN, ESQ
FORTIS LLP
650 TOWN CENTER DRIVE, SUITE
1530
COSTA MESA, CA 92626

20 LARGEST CREDITOR

NETSUITE-ORACLE
ATTN: OFFICER, A MANAGING OR
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OTHER AGENT AUTHORIZED BY
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2300 ORACLE WAY
AUSTIN, TX 78741-1400

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LEXISNEXUS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
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15500 B ROCKFIELD BLVD
IRVINE, CA 92618-2722

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CREDIT REPORTING SERVICE
INC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
548 MARKET ST, SUITE 72907
SAN FRANCISCO, CA 94104-5401

20 LARGEST CREDITOR

BUSINESS CENTERS OF
AMERICA
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1100 SIR FRANCIS DRAKE BLVD,
SUITE 1
KENTFIELD, CA 94904-1476

20 LARGEST CREDITOR

EXECUTIVE CENTER LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
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5960 SOUTH JONES BLVD
LAS VEGAS, NV 89118-2610

20 LARGEST CREDITOR

MC DVI FUND 1, LLC; MC DVI FUND 2,
LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
1598 COTTONWOOD DR
GLENVIEW, IL 60026-7769

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JP MORGAN CHASE
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
3 PARK PLAZA, STE 900
IRVINE, CA 92614-5208

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ANTHEM BLUE CROSS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
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PO BOX 511300
LOS ANGELES, CA 90051-7855

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ADDRESS**

EXELA ENTERPRISE SOLUTIONS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
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2701 E. GRAUWYLER ROAD
IRVING, TX 75061-3414

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DEBT PAY PRO
ATTN: OFFICER, A MANAGING OR
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AGENT AUTHORIZED BY
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1900 E GOLF ROAD, SUITE 550
SCHAUMBURG, IL 60173-5870

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MARICH BEIN LLC
ATTN: OFFICER, A MANAGING OR
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OTHER AGENT AUTHORIZED BY
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99 WALL STREET
STE 2669
NEW YORK, NY 10005-4301

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ADDRESS**

FIRST LEGAL NETWORK, LLC
ATTN: OFFICER, A MANAGING OR
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PO BOX 743451
LOS ANGELES, CA 90074-3451

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AZEVEDO SOLUTIONS GROUPS,
INC
ATTN: OFFICER, A MANAGING OR
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OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
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420 ADOBE CANYON RD
KENWOOD, CA 95452-9048

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COLLABORATION ADVISORS
ATTN: OFFICER, A MANAGING OR
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OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
400 DORLA COURT
ZEPHYR COVE, NV 89448

20 LARGEST CREDITOR

DEBT VALIDATION FUND II, LLC
ATTN: OFFICER, A MANAGING OR
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OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
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5075 LOWER VALLEY ROAD
ATGLEN, PA 19310-1774

20 LARGEST CREDITOR

VALIDATION PARTNERS LLC
ATTN: OFFICER, A MANAGING OR
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OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1300 SAWGRASS PKWY
STE 110
SUNRISE, FL 33323

20 LARGEST CREDITOR

CALIFORNIA FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO, CA 94257-0001

20 LARGEST CREDITOR

LIBERTY MUTUAL
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
PO BOX 91013
CHICAGO, IL 60680-1171